

## **MEETING RECORD**

**NAME OF GROUP:** City Board of Zoning Appeals

**DATE, TIME AND PLACE OF MEETING:** Friday, May 19, 2006, 1:30 p.m., Hearing Chambers, County-City Building, 555 South 10<sup>th</sup> Street, Lincoln, Nebraska

**MEMBERS AND OTHERS IN ATTENDANCE:**

<b>Members:</b>	Gene Carroll, Tim Francis, George Hancock and Bob Kuzelka. Gerry Krieser absent.
<b>Others:</b>	Michele Williamson (Building & Safety); Brian Will and Michele Abendroth (Planning Dept.); Tonya Skinner (Law Department); applicants and other interested parties.

**STATED PURPOSE OF THE MEETING:** Regular Meeting of the City Board of Zoning Appeals

Chair Gene Carroll called the meeting to order at 1:30 p.m.

### **Approval of the minutes of the April 28, 2006 meeting**

Kuzelka moved approval of the April 28, 2006 meeting minutes, seconded by Hancock. Motion carried 4-0. Carroll, Francis, Hancock and Kuzelka voting 'yes'; Krieser absent.

**Appeal No. 06004 by Jonathan Lee for a reduction in the required separation distance for a sign on property generally located at 4822 Cleveland Avenue.**

## **HEARING**

**May 19, 2006**

Jonathan Lee, owner of the property, began by providing background information on the services provided by Aspen Mortuary, which is located in University Place. He would like a sign that can be lit at night to aid patrons in finding the business. The sign they are considering would be backlit with soft yellow lights. Since opening in 1998, their business has grown significantly, which has increased traffic to the area. It is difficult to find the building during the day and especially after dark. There currently is no signage or lighting on the front of the building. Their property is unique in that it is only 50 feet across. They are asking the setback to be reduced to 45 feet, which would allow room for a monument sign in front of the building facing east and west.

Carroll noted that a 32 square foot sign is allowed in the B2 district. He asked if the sign would be legal if it only faced one direction. Williamson stated that if the sign itself was not facing the residential district, it would be legal. The size of the sign is well within the standard.

Carroll asked if there was further testimony in favor of or against this application. With no one appearing, Carroll closed the public hearing.

## **ACTION**

**May 19, 2006**

Hancock moved to approve the application, seconded by Carroll. Hancock stated that he believes the sign should be allowed. Carroll stated that signs are allowed in other business zonings. Motion carried 4-0. Carroll, Francis, Hancock and Kuzelka voting 'yes'; Krieser absent.

**Appeal No. 06006 by Jim Berg for a variance of the front yard setback on property generally located at 540 D Street.**

**HEARING**

**May 19, 2006**

Will stated that he received a request from the applicant requesting a one month delay. After further discussion with staff, they are recommending to delay this application indefinitely due to a pending application with the Planning Commission.

Carroll asked if there was further testimony in favor of or against this application. With no one appearing, Carroll closed the public hearing.

**ACTION**

**May 19, 2006**

Carroll moved to delay the application for up to 60 days and to leave the public hearing open, seconded by Kuzelka. Motion carried 4-0. Carroll, Francis, Hancock and Kuzelka voting 'yes'; Krieser absent.

The meeting was adjourned at 1:46 p.m.